A2 Sub B4

9. (Amended) A controlled release pharmaceutical delivery device which provides sustained or pulsatile delivery of a selected pharmaceutically active substance for a predetermined period of time, said device comprising;

- about 1 to less than 50% by weight of a mixture of hydroxyethylcellulose and hydroxypropylmethyl cellulose;
- about 1 to 60% by weight of ethylcellulose;
- about 1 to 80% by weight of at least one Carbopol® resin;
- about less than 10% by weight of talc;
- about less than 10% by weight of magnesium stearate; and
- about less than 95% by weight granulating and tableting aids.

A3 Sub B5

23. (Amended) A pharmaceutical composition comprising;

- about 1 to 80% by weight pharmaceutically active agent;
- about 1 to less than 50% by weight covalently crosslinked water insoluble water swellable polymers; and
- about 1 to 75% by weight uncrosslinked, linear water soluble polymers.

A4 Sub B6

30. (Amended) A pharmaceutical composition comprising :

- about 1 to 80% pharmaceutically active agent;
- about 1 to 60% by weight of hydroxyethylcellulose;
- about 1 to 75% by weight of hydroxypropylmethyl cellulose;
- about 1 to 60% by weight of ethylcellulose;
- about 1 to less than 50% by weight of at least one Carbopol® resin;
- about less than 10% by weight of talc;
- about less than 10% by weight of magnesium stearate; and
- about less than 95% by weight granulating and tableting aids.

32. (New) A controlled release pharmaceutical delivery device which provides sustained or pulsatile delivery of a selected pharmaceutically active substance for a predetermined period of time, said device comprising;

- about 1 to 80% by weight covalently crosslinked water insoluble, water-swellable polymers;

- about 1 to 75% by weight uncrosslinked, linear water soluble polymers; and

- about 0.5 to 50% by weight of a coating material comprising anionic polymers based on methacrylic acid and methacrylic acid esters or neutral methacrylic acid esters with trimethylammonioethyl methacrylate chloride or cellulose esters.

33. (New) A pharmaceutical composition comprising;

- about 1 to 80% by weight pharmaceutically active agent;

- about 1 to 80% by weight covalently crosslinked water insoluble water swellable polymers;

- about 1 to 75% by weight uncrosslinked, linear water soluble polymers; and

- about 0.5 to 50% by weight of a coating material comprising anionic polymers based on methacrylic acid and methacrylic acid esters or neutral methacrylic acid esters with trimethylammonioethyl methacrylate chloride or cellulose esters.

Remarks

Claims 1-12 and 23-31 are still before the Examiner. Claims 13-22 have been cancelled as being drawn to non-elected subject matter. Claims 1, 9, 23 and 30 have been amended. A copy of amended claims indicating the changes made therein is enclosed herein, as required under 37 C.F.R. § 1.121(c). New claims 32 and 33 have been added which are directed to further embodiments of the invention. The claim amendments and new claims are supported by the specification. No new matter has been added.

Cancellation or amendment of claims should in no way be construed as an acquiescence to any of the Examiner's rejections. The claim amendments were made solely to more particularly claim the subject matter which Applicants regard as the invention, and to expedite prosecution of the present application. Applicants reserve the option to further prosecute the same or similar claims in the instant or in a subsequent patent application.

The Examiner's remarks in the Office Action are addressed below.